

## ST. PETERSBURG CITY COUNCIL

### Meeting of April 2, 2009

- TO:** The Honorable Jeff Danner, Chair, and Members of City Council
- SUBJECT:** REVISED amendment to City Code Chapter 16 regarding temporary parking regulations
- REQUEST:** Conduct the public hearing and APPROVE the proposed ordinance.

#### ANALYSIS:

Based on Council comments at the March 26<sup>th</sup> agenda review, the attached ordinance is revised. The attached ordinance accomplishes the following:

- Define the area of parking related to Tropicana Field to be bounded by 22nd Street to the west, 6th Street to the east, 5th Avenue South to the south except including the Campbell Park Elementary and John Hopkins Middle Schools, and 1st Avenue North to the north except including the industrial area at 16th Street. This is the largest area affected by amendments made at the end of the 2008 season.
- Define commercial parking in this area to be from March 20 through November 10 of each year to provide parking for events occurring at Tropicana Field, and in addition between November 11 and March 9 only for events at Tropicana Field which are reasonably expected to have more than 20,000 attendees.
- Require these parking areas to have a site plan with defined parking spaces, handicap parking and paved driveway apron; perimeter landscaping is not required.
- Where a lot abuts or is across an alley from a property with a ground floor residential use, a fence or wall is required to protect the residence from the noise and lights of the parking.
- Parking areas related to legally operating businesses are included in these provisions to be able to operate as event parking. This provision was included in the amendments made at the end of the 2008 season.
- For properties outside this defined geographic area, the current regulations regarding temporary and commercial parking lots remain in place pending further discussion and a future amendment.

#### RECOMMENDATION

Administration recommends Council CONDUCT the public hearing and APPROVE the proposed ordinance. This will allow the proposed ordinance to take effect prior to the Rays' first home game on April 13, 2009, and will allow existing parking resources to be utilized for Tropicana Field events in a manner similar to the provisions set forth in the emergency ordinances that were approved by Council to accommodate the Rays' 2008 post season games.

Attachment: REVISED Ordinance amending City Code Chapter 16

AN ORDINANCE AMENDING THE PARKING REGULATIONS FOR THE CITY OF ST. PETERSBURG; AMENDING SECTION 16.40.090.3.6 TO PROVIDE CLARIFICATION; REMOVING THE EXISTING REGULATIONS CONCERNING TEMPORARY PARKING LOTS AND COMMERCIAL PARKING LOTS AND REPLACING THEM WITH NEW REGULATIONS FOR COMMERCIAL PARKING LOTS AND FOR TEMPORARY PARKING LOTS IN THE DOWNTOWN CENTER ZONING DISTRICTS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

**Section 1.** The St. Petersburg City Code is hereby amended by adding a new Section 16.40.090.3.9 to read as follows:

Sec. 16.40.090.3.9 - Surface Parking, Principal Use

The following requirements apply to all surface parking lots identified in the Matrix, Use and Permission Parking Requirements as "Parking, Surface, Principal Use.

1. Design Standards. The parking lot shall meet the design standards of the Development Standards for All Other Uses of this Section (currently subsection 16.40.090.3.4.B).

**Section 2.** The St. Petersburg City Code is hereby amended by adding a new Section 16.40.090.3.10 to read as follows:

Section 16.40.090.3.10 - Temporary Parking Lots Related to Tropicana Field

A. Temporary parking lots shall be allowed on properties in the area bounded by 22nd Street, 6th Street, 5th Avenue South and 5th Avenue North excluding the area north of 1<sup>st</sup> Avenue north between 6<sup>th</sup> and 9<sup>th</sup> Streets. These properties shall include properties that have existing, direct vehicular access to the streets that form the foregoing boundary and shall include existing paved areas which are associated with an existing principal use which are used as a parking lot for principal use. These properties may be used for commercial parking purposes from March 20 through November 10 of each year to provide parking for events occurring at Tropicana Field provided the following design guidelines are complied with:

1. Parking lot layout and dimensions shall conform with this Section.
2. Driveway aprons on the right-of-way shall be constructed in accordance with City specifications.
3. Required handicap parking spaces shall be accessible, shall be paved and shall comply with all other regulatory requirements.

4. Acceptable surfaces shall include asphalt, concrete, grass, shell, gravel or other similar surfaces that do not cause erosion, barriers to pedestrian access, or adverse effects to abutting parcels. When a grass or similar surface is used, the spaces shall be stabilized using drought tolerant sod. If drive grass aisles or parking spaces are not maintained in a clean and neat manner or the grass is not alive thereby causing erosion or excessive amounts of dust, the POD may require that the drive aisles and the parking spaces be surfaced with a surface that is sufficiently durable to withstand the use.
5. Each parking space shall have a wheel stop to define the parking space location. On paved surfaces stripping may be used to define the parking space location in lieu of wheel stops. Wheel stops and stripping shall be located so that vehicles do not over hang lot lines or drives aisles.
6. The property shall meet all drainage standards required by the City Code or other regulatory authority.
7. For property abutting a residential use, or across the alley from a property with a ground floor residential use, or a property with an unexpired site plan approval which includes a ground floor residential use, a six-foot masonry wall, or decorative wood, vinyl or other comparable material fence which shall be stained and painted and not less than five feet in height, shall be erected along the entire side of the property abutting or facing the residential use.

B. Enforcement. Each vehicle not parked in a defined parking space shall be a violation of this section by the property owner, tenant or operator of the parking lot unless the parking lot is in compliance with the following. When the parking lot is not in use for an event occurring at Tropicana Field, the property owner, tenant or operator shall barricade all vehicular entrances and access to the property in such a manner as to prohibit all vehicular access. The property owner, tenant or operator shall also post a sign at each entrance which shall state that the parking lot is closed and no parking is permitted. A defined parking space shall be a parking space which is within the parking lot and which is either striped or has a wheel stop.

C. Failure to maintain any required Design Standard or to violate any approved maintenance plan shall be a violation of this subsection.

D. A parking area which was the subject of an approved site plan relating to an existing legally operating business shall be deemed to meet the conditions of this subsection if the property is in compliance with the conditions of approval that were originally imposed by the City.

E. Parking lots approved pursuant to this subsection shall be allowed to be open and operate between November 11 and March 9 only for events at Tropicana Field which are reasonably expected to have more than 20,000 attendees.

F. Prior to the commencement of the use of a property for a parking lot, a scaled site plan showing the lot dimensions and configurations of spaces shall be submitted to the POD for review. The submittal shall also include a maintenance plan.

G. The allowance of temporary parking pursuant to this subsection shall not prohibit the POD from issuing a temporary use permit for parking in any zoning district.

**Section 3.** The introduction to Subsection A in Section 16.40.090.3.6 of the St. Petersburg City Code is hereby amended to read as follows, subsections A.1. and A.2. remain unchanged:

**16.40.090.3.6 'Parking, Surface, Accessory To ~~Commercial Use~~' Within Any 'Neighborhood' Zoning District**

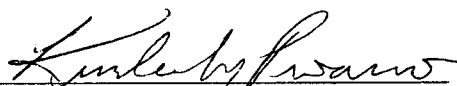
A. The following requirements apply to all surface parking lots identified in the Matrix: Use Permissions and Parking Requirements as 'parking, surface, accessory to ~~commercial use~~' which are accessory to a commercial use and which are within any 'Neighborhood' zoning district.

**Section 4.** For amendments to existing City Code sections, words that are ~~struck thru~~ shall be deleted from the existing City Code and language which is underlined shall be added to the existing City Code.

**Section 5.** If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason, held or declared to be unconstitutional, inoperative, or void, such holding of invalidity shall not affect the remaining portions of this ordinance; and it shall be construed to have been the intent to adopt this ordinance without such unconstitutional, invalid, or inoperative part therein; and the remainder of this ordinance, after the exclusion of such part or parts, shall be deemed to be held valid as if such part or parts had not been included herein.

**Section 6.** In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall take effect immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

  
City Attorney (designee)